

These minutes have been prepared to satisfy the requirements of Section 551.021 of the Texas Government Code.

Town of Hollywood Park
Regular City Council Meeting
Tuesday, March 16, 2021
Meeting Duration: 6:04 p.m. to 8:36 p.m.

I. CALL TO ORDER

II. INVOCATION:

Councilmember Delaine Hall

III. ROLL CALL

Members of the City Council present: Mayor Chris Murphy, Michael Howe; Debbie Trueman; Oscar Villarreal; Delaine Hall; Paul Homburg

Hollywood Park Staff present: City Attorney Ryan Henry; Police Chief Shad Prichard; Fire Chief John Butrico; City Treasurer Jeff Hinson; Public Work Director Kelly Cowan; City Secretary Jeannette Huggins

IV. PRESENTATIONS

None

V. ANNOUNCEMENTS / REPORTS / MAYOR AND CITY EMPLOYEES

1. **Fire Chief John Butrico** reported: HPFD had 84 calls for service for the month of February. Calls consisted of 24 EMS calls, 49 fire alarms, 2 structure fires (occurred in Bexar County), 1 vehicle fire, and 3 calls to assist the public. Acadian Ambulance Service responded to 12 calls with an average response time of 10m52s. Chief Butrico also reported that at the end of January HPFD had a firefighter resign his position and since then the HPFD has hired a candidate, who comes from Bulverde-Spring Branch EMS. The new firefighter will start his position with HPFD on April 3rd.
2. **Police Chief Shad Prichard** reported: HPPD had 245 calls for the month of February. Citation count was down to 118 for the month. Chief Prichard spoke of a mail/package theft case occurring while the homeowner was out of town. HPPD initiated a traffic stop that yielded an arrest. It was discovered the individual was in possession of a lot of other people's information to include social security cards, debit cards, ID cards, and check books.
3. **Public Works Director Kelly Cowan** reported: Monthly code violations were down for the month of February, which totaled 20 cases with one still pending. Voigt Center reservations are beginning to increase. Kelly provided the following update on the road work: part of Meadowbrook Dr. and Donella Dr. have been paved; residential gas line tie-ins on Sequoia is almost completed; base repair and mill and overlay of Sequoia is tentatively scheduled to begin on Friday; once completed they crew will finish Meadowbrook Dr., El Cerrito, and the intersection of Donella Dr. and William Classen. Tentatively the crew should be out the first week of April for all the cleanup and repairs to right-of-way. Kelly also reported there was a lot of infrastructure damage at the park from the ice storm and his department has been working for the last couple of weeks repairing pipes.
4. **Finance - City Treasurer Jeff Hinson** reported: February 2021 sales tax was \$52,000.00. Permits are already 50% of their budgeted amount and we are not into permit season yet. Jeff reported we had \$388,000.00 and turns out that 95% of expenses were for CPS Energy. This week HP received checks from CPS Energy totaling about \$500,000.00. The general fund will probably have about \$300,000.00 more revenues than expenses this year. Jeff reported that he and the auditors are adjusting the revenues for Voigt. The Voigt Center Pool is now going to be in the Voigt Fund. All the expenses will be in the Voigt Fund. With this change the City Council will be about to see exactly where the Voigt Center and the Pool stand on its income versus its expenses. Jeff indicated that the

Voigt Center and the Pool are not going to make the expenses they have. We might have to use Venue Fund or General Fund to make it up, if so, Jeff will bring a proposed budget amendment to the City Council. Jeff reported that SAWS rates were evidently increased, and HP is losing every month on sewer fees. With this increase the City may have to increase its rates as well.

Councilmember Delaine Hall asked why SAWS is billing for sewer if most of the Town is on septic systems.

Jeff said he would look into this and bring an answer to the next meeting.

5. **Administration Department - City Secretary Jeannette Huggins** reported: Municipal Court continues virtual court hearings through May and begin in person court hearings in June. Jeannette advised the City Council that HP hired a new Court Clerk last week who comes to HP with six years of experience in municipal court and is a Level II certified Court Clerk. Jeannette provided an update on the completion of the microphone upgrade by TROX. Jeannette spoke of the rescheduled Zoning Commission Hearing, which was rescheduled due to an oversight on her part. The new date being considered is in April.
6. **City Attorney Ryan Henry** reported: Mr. Henry reported that he spoke to Judge Dullnig recently and he complimented Vicki already. Mr. Henry introduced the newest attorney from his firm, Chelsea Mikulencak. Chelsea was an Assistant City Attorney for the City of San Antonio prior to joining the Law Office of Ryan Henry, PLLC.
7. **Mayor Chris Murphy** reported: Thanked all in attendance and stated this year marks seven years for him serving on the City Council and Mayor. Mayor Murphy explained that the Federal Government hiring process was changed this year which has prevented him from pursuing employment opportunities within the Federal Government. Mayor Murphy said he was thrilled to see six qualified and interested candidates have applied to run for City Council in May. He stated it's critical for a Town to have interested people wanting to help as volunteers. Mayor Murphy explained that he is very grateful and appreciative of the City Council to allow him to leave office and appoint a successor tonight from the existing tenured City Council so that there is not lapse or void in coverage.
Councilmember Debbie Trueman thanked Mayor Murphy for his time in service.
Councilmember Oscar Villarreal thanked Mayor Murphy for his time and energy in service.

VI. CONSENT AGENDA

1. Approve the Regular Meeting Minutes for the 02/23/2021 City Council Meeting.
2. Accept the Financial Statements as of 02/28/2021.

Councilmember Trueman made a motion to approve the Consent Agenda in its entirety.
Councilmember Homburg seconded the motion, which passed unanimously

VII. CITIZEN PARTICIPATION

A maximum of three (3) minutes per person is allowed. Those wishing to speak should sign up before the meeting begins.

TIME CANNOT BE PASSED TO OTHER SPEAKERS

***CITY COUNCIL CANNOT DISCUSS ANY PRESENTED ISSUE OR TAKE ANY ACTION AT THIS TIME**
None

VIII. NEW BUSINESS

1. Discuss/take possible action on issues related to the Hollywood Park swimming pool, including possible extended season, possible Town fee for non-resident swim team members, and status of discussions between representatives of Swim Team, non-Swim Team residents, and lap swimmers.
[D. Trueman]
a) Discussion:

- b) Councilmember Trueman reported the following: Last year the City Council voted unanimously to open the pool to the public at 10:00 a.m. There were several issues that came up during the last season that affected either the swim team or non-swim team residents and lap swimmers. A committee was formed with a representative from each of those groups, Shari Tiner, Meredith Schwartz, and Barbara Schmitz are on the committee. Mayor Murphy and Councilmember Trueman have met with the committee members twice to discuss the issues, and Councilmember Hall joined in the second meeting. Some of the issues addressed are:
- *Issue:* there were times when the swim team was forced down to three lanes during practice because lap swimmers were using the remaining three lanes, which made practice challenging for the swim team with just three lanes.
 - *Committee Discussion:* the committee is proposing that the lap swimmers will have two lanes at the most, during swim team practice; pool opens to the public at 10:00 a.m. and swim team practice is from 8:00 a.m. to 11:45 a.m.; from 10:00 a.m. to 11:45 a.m. the two lanes closest to the beach access would be dedicated to lap swimmers; if no lap swimmers present the swim team can utilize those lanes as well; if lap swimmers show up the swim team would relinquish those lanes closest to the beach access first. This will allow the swim team at least four lanes at all times and up to six if there are no lap swimmers present.
 - *Issue:* last year lap swimmers did not have full use of the lane closest to the beach access entry because the public was allowed in that lane during swim team practice.
 - *Committee Discussion:* the committee is proposing that during swim team practice that lane will only be available to the lap swimmers and the rest of the public will not have access to the big pool until practice is over. The baby pool and beach access will be available to the public during swim team practice.
 - *Issue:* last year lap swimmers said they would prefer to use the lanes closest to the lifeguard station.
 - *Committee Discussion:* this is not feasible during swim team practice. The committee is proposing that the lap swimmers will use the two lanes closest to the beach access during swim team practice and will move to the other side of the pool when the swim team practice is over; those two lap lanes out for the remainder of the day.
 - *Issue:* complaints about the swim team using the pool for Saturday practices
 - *Committee Discussion:* There are only three Saturday practices in May, no Saturday practices in June because there are two home swim meets and two away swim meets; the committee is proposing that the swim team keep their Saturday practices and on weekdays as previously mentioned.
 - *Issue:* complaints that the swim team should come in earlier for practice and be done by 10:00 a.m. During City Council discussions last year, swim team input to the Council was that they didn't want to share the pool during swim team practice. Based on that input the Council voted that the swim team would have the pool from 7:00 a.m. to 9:30 a.m., but that Kelly Cowan would have flexibility to work with the swim team and their scheduling. The swim team did not want to start that early and ended up keeping their practice from 8:00 a.m. to 11:45 a.m. Right now, although the overlap of swim team practice and public access to the pool seems minimal on paper people have said they only have the pool 11% of the time in June. Those are the hours in the morning before the sun is at its hottest that and without the chaos of swim team practice that those non-swim team families want to use the pool.
 - *Committee Discussion:* the committee has discussed the possibility of the swim team shifting their hours and/or shortening practice to minimize the overlap. Currently there is overlap between 10:00 a.m. to 11:45 a.m. The committee's proposal is possibly having practice cut from one hour to 50 minutes, which would cut 30 minutes from swim practice, and if swim practice started 15 minutes earlier (7:45 a.m.) we could cut the overlap time to one hour.
 - *Issue:* The swim team has the flexibility of starting practice at 7:00 a.m. giving them use of all six lanes during practice without the public being in the pool area. This option has been overwhelmingly rejected by the swim team membership.

- *Committee response: This issue has not been resolved as the committee has not met since Shari presented it to the membership.*
- *When there is a home swim meet the pool will be closed to the public.*

Councilmember Trueman is not advocating for a major change in the swim team's schedule. She explained she thought if we could shave some time off here or there it would be great, if we can't then we won't. But, she is not looking for the swim team to go in at 7:00 a.m., that would be something City Council would need to discuss tonight.

- *Issue: there have been resident complaints that the swim team gets to use the pool for free and that HP should be charging them for use.*
- *Committee discussion: several of the kids on the swim team also have family memberships at the pool and those families are paying HP taxes. This matter is outside the scope of the committee's input and Councilmember Trueman would personally not support a measure asking for swim team residents to pay a fee to the Town for use of the pool. However, the City Council may want to consider collecting a nominal fee from non-resident swim team members, since these members do not pay HP taxes and are currently using the pool for free. Other places, like Encino Park collect \$30 from non-resident swim team members to be on their team. Shari Tiner says the impact on the swim team will probably be minimal if this is done but, based on the logistics of figuring how this would work, they are already preparing to sign up for the swim team in April. This doesn't seem to be feasible this season but, might be something to consider down the road.*
- *Committee discussion: the committee discussed the possibility of extending pool hours by opening during the week in May. The swim team uses the pool weekdays in May from 3:30 p.m. to 7:45 p.m. Councilmember Trueman would like the City Council to look at the feasibility of opening the pool to the public on weekdays in May from maybe 10:00 a.m., 11:00 a.m., or 12:00 p.m. until 3:00 p.m. to not disturb the swim team practice hours.*

Councilmember Trueman expressed that no one is trying to get rid of the swim team, we are just trying to work through these little issues.

Mayor Murphy expressed that the swim team is an important part of what make Hollywood Park great. If we try to make this as smooth and easy for the swim team to have as many hours as they need and make it as agreeable to what they need, we can afford a few more hours in the month of May so that families can have some swim time that doesn't conflict or compete with the swim team.

Councilmember Hall asked Jason Cherry, President of Aquatica Pool Management, Inc., if he would have an issue scheduling lifeguards weekdays in May anywhere from 10:00 a.m.-3:00 p.m. Mr. Cherry explained it would be very difficult to schedule lifeguards during those hours in May as 95% of his staff are high school and college aged students. Aquatica might be able to provide a pool attendant, however a pool attendant would not be there in any life saving capacity.

Councilmember Villarreal commented that from his experience with the swimming he knows how important the swim team is. It keeps kids out of trouble, teaches them social skills, structure and discipline. Councilmember is for the swim team and whatever Council can do for them.

Councilmember Howe expressed that he would like to have the information, Councilmember Trueman reported, in writing to be able to review it all.

c) **Citizen Comment:**

Susan Wilkins of Vista Robles commented that last year, after swim practice there were two lanes roped off for lap swimmers. This solved the problem for a lot of people.

Glenna Pearce of 301 Mustang Circle commented to the City Council to make any decision made for pool use this summer a temporary decision to allow time to collect data regarding pool use.

Bruce Graham of 134 Canyon Oaks commented that back in the old days the swim team used the four-lane pool, swim team started at 8:00 a.m. and swam till 11:45 a.m., pool opened at noon.

Now HP has a beautiful six lane pool, so if the swim team can't use all six-lanes they should at least be able to have the same use they had when no one wanted to go to the pool.

Shari Tiner of 228 Mecca Dr. commented about what the swim team means to her.

Sudie Sartor of 505 El Portal commented that with as many kids on the swim team they team should have access to all six lanes and not be limited to four lanes for a few lap swimmers. She also asked about people swimming at their own risk if lifeguards were not available.

Elissa Harrell of 615 Paseo Canada commented she is for the swim team but asked what percentage of HP families are not swim team families and don't have access to the pool for that time. She expressed that even the parents with small children need access to the pool as well. She feels that non-resident swim team members are being prioritized over taxpaying residents who want better access hours to the pool.

Elaine Hitzfelder of 123 Sequoia emailed in favor of supporting the swim team and the swim team schedule.

Andrew Moon of 450 Sagecrest Dr emailed in support of the swim team.

Taylor Samuelson of 209 Robledo Verde emailed in support of the swim team.

Jennifer Bailey of 118 Canyon View emailed in support of the swim team.

Barbara Schmitz of 109 Meadowbrook Dr emailed in favor of the rules adopted last year and not to change the rules every year.

Margaret McGuire of 230 Donella Dr. emailed in favor of the swim team practicing from 7 a.m. to 10 a.m. and non swim team residents can use the pool beginning at 10 a.m.

Aaron Caldwell of 100 Fleetwood Dr emailed in favor of the swim team.

Dharma Cantrell of 309 Meadowbrook Dr. emailed in support of the swim team and in favor of extending the pool season.

D'Layne Kelly of 210 Donella Dr. emailed in support of the swim team and suggesting Council take the time to collect data about the pool usage.

Laci Wiede of 101 Ridge Trail St. emailed in support of the swim team.

Meredith Schwarz of 106 Canyon Creek emailed in favor of opening the pool at 10 a.m. for those with young children to enjoy before the heat of the day.

Ali Miller of 102 Canyon Creek emailed asking for the Council to consider opening the pool at 10 a.m. for all residents.

Stacy Kana of 211 Rua De Matta emailed in favor of opening the pool at 10 a.m. for all residents.

Michael Gundersen of 318 Yosemite Dr. emailed in favor of opening the pool at 10 a.m. to those who have paid for access so that the entire community can enjoy the pool.

Jay & Kim Gerber of 111 William Classen emailed in support of the swim team but also in support of everyone having access to the pool, especially before the day gets too hot.

Pam Velasco of 520 Rua De Matta emailed in favor of opening the pool to all residents at 10 a.m.

Glenna Pearce of 301 Mustang Circle emailed in favor of any decision made for the 2021 pool season to be a temporary decision with a place for gathering data for a more permanent solution.

Councilmember Oscar Villarreal made a motion to take no action on the matter until the Council can find a remedy and leave it as is.

- Councilmember Trueman was asked to restate the proposal:
- Pool opens at 10:00 a.m. for the public
- At 10:00 a.m. the swim tea will give up the two lanes nearest to the beach area to the lap swimmers. If no lap swimmers are present, the swim team will have access to all lanes
- No public in the big pool during swim practice, except for lap swimmers
- After swim practice the lap swimmers will move to the two lanes on the other side of the pool
- During swim team meets only swim team members allowed in pool
- Swim team practice from 8:00 a.m. to 11:45 a.m.

City Attorney, Ryan Henry, clarified the motion to adopt the recommendation of the committee as ready by Councilmember Trueman
Councilmember Paul Homburg seconded the motion, which passed unanimously.

2. Discuss/take possible action to approve the Swimming Pool Maintenance Contract. [K. Cowan]
 - a) Discussion:
 - b) Kelly Cowan explained that Request for Proposal was published, and proposals were received from three pool management companies. Kelly recommended to the City Council that the Town stay with Aquatica Pool Management, Inc.
Councilmember Homburg asked Kelly to confirm that the bid proposal from Aquatica Pool Management, Inc. is \$6,000.00 higher than the next lowest bidder, however Aquatica is offering services the other company doesn't offer.
Councilmember Trueman asked Jason Cherry, President of Aquatica Pool Management, Inc. about the discount he is offering if the Town enters into a three-year contract with Aquatica. Jason explained that for the life of the contract Aquatica agrees not to increase any maintenance prices, which include monthly winter maintenance price, weekly summer maintenance price, and hourly lifeguard labor price. These prices would not increase unless there was to be a change in minimum wage by the federal government. The benefit to a multi-year contract would be no increase in costs to the Town and the Town would save about \$1,500.00 the second and third year of the contract.
 - c) Citizen Comment:
Bruce Graham of 134 Canyon Oaks commented that he supports Aquatica and hopes the City Council will give them the contract.

Councilmember Homburg made a motion that the City Council approve the Aquatica contract with the provision of the discount with the 3-year contract.
Councilmember Trueman seconded the motion, which passed unanimously.

3. Discuss/take possible action to consider reopening the basketball courts. [Mayor Murphy]
 - a) Discussion:
Mayor Murphy explained that he and Kelly Cowan have received numerous requests to open the basketball courts.
Councilmember Trueman commented that she would be fine with opening the basketball courts now, adding that it would be up to those playing, and their parents, to be responsible in protecting themselves from Covid-19.
Councilmember Villarreal commented that he is open to allowing them to play.
 - b) Citizen Comment:
Sudie Sartor of 505 El Portal commented she isn't sure why the basketball nets were ever taken down. As long as the Town is allowing kids to play at the playground, she doesn't see the problem with them playing basketball. Volleyball courts were not closed.

Councilmember Trueman made a motion to put the basketball goals back up.
Councilmember Villarreal seconded the motion, which passed unanimously.

4. Discuss/take possible action on whether the City should adjust the layout of City Hall where the squad room/break room, gym, and Police Department offices are concerned to allow all employees access to key areas within the building, while continuing to provide the Police Department with the required secured areas. [D. Hall]
 - a) Discussion:
Councilmember Hall explained that she met with Chief Prichard regarding proposed changes to the current police squad room to make the room accessible to all Town employees. Councilmember Hall explained the changes she and Chief Prichard discussed using the printed floorplan, which was provided to all Councilmembers. Councilmember Hall explained that Chief Prichard had indicated

that with seizure money he could pay half the cost to build a gym outside between the Public Works storage building and dog kennels.

Councilmember Homburg confirmed with Chief Prichard that he is okay with having the, now squad room, open to other staff, fire department, and on occasion the public.

Councilmember Trueman confirmed the change would also allow the fire department staff to come through the back door to get into the break room area.

Chief Prichard explained the reason for having a room designated for juveniles and the laws related thereto.

Councilmember Homburg asked if it would be possible to build the gym utilizing two spaces currently designated as police parking.

Chief Butrico stated he would rather not take parking space from the police department. He is okay with the gym being either in the parking area or across the parking lot.

Chief Prichard has a bid in the amount of \$27,000.00 for the gym. Chief Prichard explained that he can take care of internal police department changes with seizure funds and any remaining portion of those fund could be committed to the construction of the gym.

City Treasurer, Jeff Hinson, stated there are funds in the capital fund, which is for capital items like this.

b) Citizen Comment:

None

No action taken on this item.

Chief Prichard will bring bids to the next City Council meeting.

5. Discuss/take possible action to accept the resignation of Mayor Chris Murphy due to potential federal employment. [Ryan Henry]

a) Discussion:

Mayor Murphy submitted his resignation and the City Council has to officially accept it. In order to select a replacement the resignation first needs to be accepted.

b) Citizen Comment:

None

Councilmember Trueman made a motion to accept the resignation of Mayor Chris Murphy due to potential federal employment.

Councilmember Villarreal seconded the motion, which passed unanimously.

6. Discuss/take possible action to appoint a replacement to fulfill the unexpired term of Mayor Chris Murphy and fill possible council position if left vacant due to appointment. [Ryan Henry]

a) Discussion:

City Attorney, Ryan Henry, requested to meet with the City Council in Executive Session to discuss this item.

b) Citizen Comment:

Bruce Graham of 134 Canyon Oaks commented he would propose that after the resignation that the Mayor Pro Tem step in as Mayor and that a new Mayor be selected after the May election. Choice of candidate for appointment of Mayor could be totally different in May. He stated he thinks the citizens who will be voting for Places 1, 3, and 5 should be able to vote and let the new Council, if there is a new Council, select the new Mayor. I

Sudie Sartor of 505 El Portal expressed her concern about how this change has transpired. It's her understanding that Councilmember Howe is the person who will be filling the Mayor's position after he didn't file to run for Place 5 again. Sudie Sartor commented that it seems that it was already known that the Mayor would be resigning his position. She agreed that the Council should wait to appoint a Mayor until after the May election.

Del Gallivan 201 Sagecrest asked if Oscar Villarreal's appointment is interim or Pro Tem until the new Council is elected or is just till the next election. Mayor Murphy explained his appointment is through his unexpired term.

IX. EXECUTIVE SESSION

The City Council will convene into a closed executive session at 8:06 p.m. to discuss the following: regarding any matter listed on this agenda if such discussion is permitted under the law under Texas Government Code § 551.071 (consultation with attorney) and § 551.074 (personnel matters):

1. Discussion regarding the resignation of Mayor.
2. Discussion on the appointment of the Mayor's replacement.

Mayor Murphy closed the regular session at 8:06 p.m.

The City Council reconvened into regular session at 8:31 p.m. and took the following action on New Business Item #6:

Councilmember Homburg made a motion to appoint Oscar Villarreal to the Mayor's unexpired term.

Councilmember Hall seconded the motion, which passed unanimously.

7. Discuss/take possible action to approve the contract for election services between the Town and Bexar County Elections Administrator on behalf of Bexar County for the May 1, 2021 Town of Hollywood Park General Election. [Mayor Murphy]

a) Discussion:

City Secretary, Jeannette Huggins, stated this contract describes what the Bexar County Elections Office will provide for the May 1st Hollywood Park General Election. This includes Election Judges, raining, salaries, as well as election supplies and equipment.

City Attorney, Ryan Henry explained this is a standard contract provided by the County every year and he has already reviewed it.

b) Citizen Comment:

None

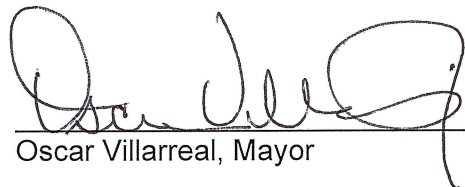
Councilmember Trueman made a motion to approve the contract for election services.

Councilmember Howe seconded the motion, which passed unanimously.

X. ADJOURNMENT

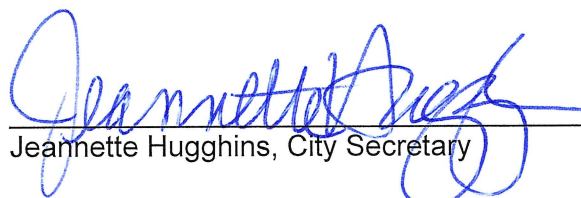
There being no further discussion, the Mayor Murphy adjourned the meeting at 8:36 p.m.

The minutes of this meeting are approved as submitted [N] submitted [] corrected on this the 20th day of April, 2021.



Oscar Villarreal, Mayor

ATTEST:



Jeannette Huggins, City Secretary